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ORDINANCE 06-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, DESIGNATING THE BOUNDARIES OF THE HOPKINS CROSSING NORTH REGIONAL ACTIVITY CENTER; PROVIDING FOR INCREASED THRESHOLDS FOR REVIEW OF DEVELOPMENTS OF REGIONAL IMPACT WITHIN THE HOPKINS CROSSING NORTH REGIONAL ACTIVITY CENTER PURSUANT TO CHAPTER 380.06, FLORIDA STATUTES AND RULE 28-24.014(10), FLORIDA ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 12, 2005, the Board of County Commissioners of Leon County approved the Hopkins Crossing North Development Agreement (the "Development Agreement") to clarify the development review and approval process for the Hopkins Crossing North property which is located at the northeast and northwest corners of the intersection of I-10 North and Capital Circle Northwest; and

WHEREAS, the Development Agreement provides that the Developer, North 10 Capital Associates, Ltd. ("NCA") may request, and if requested, the County shall consider adopting, an ordinance designating all or a portion of the Property as a regional activity center as defined in Rule 28-24.014(10)(c)2., Florida Administrative Code; and

WHEREAS, Section 380.06(2)(e), Florida Statutes, and Rule 28-24.014(10)(c)2., Florida Administrative Code, provide, among other things, that with respect to multiuse developments, the applicable Development of Regional Impact ("DRI") guidelines and standards shall be increased by 100 percent (100%) in regional activity centers in jurisdictions whose local comprehensive plan is in compliance with Part II, Chapter 163, Florida Statutes, and if one land use of the multiuse development is residential and amounts to not less than thirty-five percent (35%) of the jurisdiction's applicable residential threshold; and

WHEREAS, the Tallahassee-Leon County Comprehensive Plan is in compliance with Part II of Chapter 163, Florida Statutes; and

WHEREAS, Rule 28-24.014(10)(c)2., Florida Administrative Code defines "Regional Activity Center" as a compact, high intensity multi-use area designated as appropriate for intensive growth by the local government or jurisdiction and may include: retail; office; cultural, recreational and entertainment facilities; hotels and motels; or appropriate industrial activities; and

WHEREAS, Rule 28-24.014(10)(c)2., Florida Administrative Code further provides that a Regional Activity Center shall be consistent with the local

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government comprehensive plan and future land use map intensities; shall routinely provide service to, or be regularly used by, a significant number of citizens of more than one county; contain adequate public facilities as defined in Rule 9J-5, Florida Administrative Code, or committed public facilities as identified in the capital improvements element of the local government comprehensive plan; and shall be accessible to interstate or major arterial roadways; and

WHEREAS, the Hopkins North Crossing property is designated a Target Planning Area, the purpose of which is to provide for compact, integrated, self-supporting development that is pedestrian friendly and less oriented to automobile use; and

WHEREAS, the Hopkins North Crossing Property is designated "Mixed Use A" on the Map Tallahassee-Leon County Growth Management Plan Future Land Use Map; and

WHEREAS, the "Mixed Use A" future land use designation allows the development types and intensities that would be permissible under the Regional Activity Center designation on the Hopkins Crossing North property, and specifically within the "Hopkins Crossing North Regional Activity Center," consisting of residential, retail commercial, and office uses on _____ acres, which is depicted on Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, Leon County finds that the Hopkins Crossing North Regional Activity Center meets all of the criteria for designation as a Regional Activity Center pursuant to Rule 28-24.014(10)(c)2., Florida Administrative Code; and

WHEREAS, Rule 28-24.014(10)(c)2., Florida Administrative Code, further provides an expedited process whereunder the local government can submit a proposed ordinance designating a Regional Activity Center to the Florida Department of Community Affairs for review prior to adoption and, if approved, may thereafter adopt the ordinance and amend its comprehensive plan to designate the Regional Activity Center during the next regular cycle of comprehensive plan amendments; and

WHEREAS, the Florida Department of Community Affairs has reviewed this ordinance and concurred that the described land satisfies the criteria for designation as a Regional Activity Center pursuant to Rule 28-24.014(10)(c)2., Florida Administrative Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, THAT:

1. The foregoing recitals are true and are incorporated herein.

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DULY PASSED AND ADOPTED BY the Board of County Commissioners of

Leon County, Florida, this _____ day of _____, 2006.

LEON COUNTY, FLORIDA.

By: _____

Cliff Thael, Chairman
Board of County Commissioners

ATTESTED BY:
BOB INZER, CLERK OF THE COURT

By: _____

CLERK

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

By: _____

HERBERT W.A. THIELE
COUNTY ATTORNEY